

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 18-cr-30059-SMY-1
	)	
PARIS M. TRAYLOR,	)	
	)	
Defendant.	)	

**ORDER**

**YANDLE, District Judge:**

Defendant Paris M. Traylor was sentenced on November 27, 2018 to 121 months imprisonment on Count 1 for distribution of a controlled substance and 120 months imprisonment on Count 2 for unlawful possession of a firearm by a felon (Docs. 28, 31). The sentences were to run concurrently. *Id.* He is currently housed at Florence FCI and his projected release date is January 13, 2027.

Now pending before the Court is Traylor's Motion for Compassionate Release pursuant to the First Step Act of 2018 (Doc. 34), Supplemental Motion for Compassionate Release pursuant to the First Step Act of 2018 (Doc. 46), and Supplemental Exhibits (Doc. 54) seeking release due to the COVID-19 global pandemic. The Government has responded in opposition (Doc. 55). For the following reasons, the motions are **DENIED**.

**Background**

COVID-19 is a contagious virus spreading across the United States and the world. Individuals with serious underlying medical conditions, such as serious heart conditions and chronic lung disease, and those who are 65 years of age and older carry a heightened risk of illness from the virus. People With Certain Medical Conditions, CENTERS FOR DISEASE CONTROL &

PREVENTION, <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html> (last visited December 13, 2023). As of December 13, 2023, there were no positive COVID-19 cases among inmates at Florence FCI. *See* [https://www.bop.gov/about/statistics/statistics\\_inmate\\_covid19.jsp](https://www.bop.gov/about/statistics/statistics_inmate_covid19.jsp) (last visited December 13, 2023). Traylor is 35 years old and suffers from sleep apnea, prediabetes, obesity, high blood pressure, GERD, and issues with an ankle (Docs. 46, 54). He alleges that he is at-risk of contracting COVID-19 because of his medical conditions.

### **Discussion**

Section 603 (b)(1) of the First Step Act permits the Court to reduce a term of imprisonment upon motion of either the Director of the Bureau of Prisons (“BOP”) or a defendant for “extraordinary or compelling reasons” so long as the reduction is “consistent with applicable policy statements issued by the Sentencing Commission.” 18 U.S.C. § 3582(c)(1)(A)(i). A defendant seeking compassionate release must first request that the BOP file a motion seeking the same. *Id.* If the BOP declines to file a motion, the defendant may file a motion on his own behalf, provided he has either exhausted administrative remedies or 30 days have elapsed since the warden at his institution received such a request, whichever is earliest. *Id.*

The spread of COVID-19 has presented extraordinary and unprecedented challenges for the country and continues to represent a serious issue for prisons. Due to the infectious nature of the virus, the Centers for Disease Control and Prevention (CDC) and state governments have advised individuals to practice good hygiene, social distancing, and isolation – practices that are difficult to maintain in a prison setting. There continues to be outbreaks of COVID-19 in prisons despite the safety protocols and policies that have been implemented.

Traylor has refused the opportunity to get vaccinated against COVID-19 (Doc. 55-2 at pp.

31, 52). His refusal to take preventive measures undermines his assertion that extraordinary and compelling reasons exist to warrant his release from prison. See *United States v. Broadfield*, 5 F.4<sup>th</sup> 801, 803 (7<sup>th</sup> Cir. 2021) (the availability of a vaccine makes it impossible to conclude that the risk of COVID-19 is an ‘extraordinary and compelling’ reason for immediate release.”). Further, Traylor has failed to set forth any evidence that he is medically unable to receive or benefit from the vaccine. See *United States v. Ugbah*, 4 F.4<sup>th</sup> 595, 597 (7<sup>th</sup> Cir. 2021). Thus, the undersigned concludes that Traylor does not present an extraordinary and compelling reason for his release at this juncture.

For the foregoing reasons, Defendant’s Motion for Compassionate Release (Doc. 34) and Supplemental Motions (Doc. 46, 54) are **DENIED**. The Motion for Status (Doc. 56) is **TERMINATED AS MOOT**.

**IT IS SO ORDERED.**

**DATED: January 25, 2024**



**STACI M. YANDLE**  
**United States District Judge**